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| <b>MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK</b> |
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**FORMAL SESSION**  
**June 22, 2005**

The Board of Supervisors of Maricopa County, Arizona convened in Formal Session at 9:00 a.m., June 22, 2005, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max W. Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2, Fulton Brock, District 1. Absent: Andrew Kunasek, District 3 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Juanita Garza, Minutes Coordinator; David Smith, County Manager; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

**INVOCATION**

Mike Ellegood, Director, Maricopa County Department of Transportation, delivered the invocation.

**PLEDGE OF ALLEGIANCE**

Lois Wahl, Maricopa County Department of Transportation, led the assemblage in the Pledge of Allegiance.

**REWARDING IDEAS PROGRAM PRESENTATION**

Candace Steill, Board of Supervisors, District 3, presented the award recognizing an employee whose creative idea found a more cost effective way to conduct business. This proposal resulted in an annual savings of \$230,000 to Maricopa County. (C2005017900) (ADM3333-002)

| <b>NAME</b>  | <b>DEPARTMENT</b>        | <b>SUGGESTION</b>   | <b>SAVINGS</b> | <b>AWARD</b>                                  |
|--------------|--------------------------|---|----------------|---|
| Kenneth Burk | Facilities<br>Management | Procedural change to<br>the fire alarm testing<br>and inspections | \$230,000      | \$2,500 and<br>Certificate of<br>Appreciation |

**PUBLIC HEARING – LIQUOR LICENSE APPLICATION**

Chairman Wilson called for a public hearing on a liquor license application. No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox and seconded by Supervisor Stapley, to recommend approval of the following liquor license application:

Application filed by Samuel Turrentine Crump, Sr. for a Special Event Liquor License: (F23164) (SELL681)

|                |  |
|----------------|--|
| Business Name: | Rotary Club of Anthem                        |
| Location:      | 41703 N. Gavilan Peak Parkway, Anthem, 85086 |
| Date/Time:     | July 3, 2005; 5:00 p.m. to 10:00 p.m.        |

Motion carried by majority vote (2-1-2) with Supervisors Stapley and Wilson voting "aye" and Supervisor Brock voting "no." Supervisor Kunasek and Wilcox were absent.

**PUBLIC HEARING – FIREWORKS DISPLAY**

Chairman Wilson called for a public hearing on this matter. No protests having been received and no speakers coming forth at the Chairman's call, pursuant to A.R.S. §36-1603, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve an application filed by John Teixeira for a Fireworks Display Application, as follows: (ADM665-46):

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Business Name: Tonopah Valley Community Council  
Location: 2614 S. Wintersburg Road, Tonopah  
Date/Time: July 4, 2005, 9:00 p.m.

**ROAD DECLARED (ROAD FILE NO. A320)**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) that the following resolution be adopted: (C6405297B00)

**WHEREAS**, pursuant to A.R.S. §28-6701, on the 18th day of May, 2005, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

Beginning at the Southeast corner of said Section 6, being common with the Southwest corner of said Section 5; Thence, North along the common line of said Section 6 and Section 5, N00°07'12"E, a distance of 2644.02 feet to the East quarter corner (E¼) of said Section 6; Thence along the construction centerline for said Miller Road, to the terminus at Southeast corner of Section 31, in Township One (1) North, Range Three (3) West, said Southeast corner bears N89°34'24"W, a distance of 158.37 feet (calculated) from the Northeast corner of said Section 6, common with the Northwest corner of said Section 5. Said roadway is Miller Road from Beloit Road to Baseline Road.

**WHEREAS**, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in the Arizona Business Gazette; and

**WHEREAS**, no objections to the establishment, opening and declaration of said highway have been filed; and

**WHEREAS**, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

**NOW, THEREFORE, BE IT RESOLVED** that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

**BE IT FURTHER RESOLVED** that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

**BE IT FURTHER RESOLVED** that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

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**BE IT FURTHER RESOLVED** that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

**DATED** this 22nd day of June 2005

**ROAD DECLARED (ROAD FILE NO. 5335)**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) that the following resolution be adopted: (C6405302000)

**WHEREAS**, pursuant to A.R.S. §28-6701, on the 18th day of May, 2005, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Sarival Farms, Phase I, a subdivision as shown in Book 501 of Maps, Page 04, M.C.R.

General Vicinity: Sarival Avenue and Northern Avenue.

**WHEREAS**, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in the Arizona Business Gazette; and

**WHEREAS**, no objections to the establishment, opening and declaration of said highway have been filed; and

**WHEREAS**, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

**NOW, THEREFORE, BE IT RESOLVED** that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

**BE IT FURTHER RESOLVED** that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

**BE IT FURTHER RESOLVED** that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

**BE IT FURTHER RESOLVED** that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

**DATED** this 22nd day of June, 2005

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**ROAD DECLARED (ROAD FILE NO. 5336)**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) that the following resolution be adopted: (C6405303000)

**WHEREAS**, pursuant to A.R.S. §28-6701, on the 18th day of May, 2005, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Sarival Farms, Phase 2, a subdivision as shown in Book 620 of Maps, Page 02, M.C.R.

General Vicinity: Sarival Avenue and Northern Avenue

**WHEREAS**, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in the Arizona Business Gazette; and

**WHEREAS**, no objections to the establishment, opening and declaration of said highway have been filed; and

**WHEREAS**, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

**NOW, THEREFORE, BE IT RESOLVED** that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

**BE IT FURTHER RESOLVED** that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

**BE IT FURTHER RESOLVED** that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

**BE IT FURTHER RESOLVED** that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

**DATED** this 22nd day of June, 2005

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**ROAD DECLARED (ROAD FILE NO. 5330)**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) that the following resolution be adopted: (C6405304000)

**WHEREAS**, pursuant to A.R.S. §28-6701, on the 18th day of May, 2005, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Dreaming Summit, Unit 1, 2A and 2B, a subdivision as shown in Book 554 of Maps, Page 28, Book 541 of Maps, Page 50 and Book 541 of Maps, Page 48, M.C.R.

General Vicinity: Bethany Home Road and Dysart Road

**WHEREAS**, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in the Arizona Business Gazette; and

**WHEREAS**, no objections to the establishment, opening and declaration of said highway have been filed; and

**WHEREAS**, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

**NOW, THEREFORE, BE IT RESOLVED** that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

**BE IT FURTHER RESOLVED** that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

**BE IT FURTHER RESOLVED** that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

**BE IT FURTHER RESOLVED** that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

**DATED** this 22nd day of June, 2005

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**ROAD DECLARED (ROAD FILE NO. 5329)**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) that the following resolution be adopted: (C6405305000)

**WHEREAS**, pursuant to A.R.S. §28-6701, on the 18th day of May, 2005, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Dreaming Summit, Unit 1 A, a subdivision as shown in Book 604 of Maps, Page 40, M.C.R.

General Vicinity: Bethany Home Road and 134th Avenue.

**WHEREAS**, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in the Arizona Business Gazette; and

**WHEREAS**, no objections to the establishment, opening and declaration of said highway have been filed; and

**WHEREAS**, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

**NOW, THEREFORE, BE IT RESOLVED** that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

**BE IT FURTHER RESOLVED** that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

**BE IT FURTHER RESOLVED** that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

**BE IT FURTHER RESOLVED** that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

**DATED** this 22nd day of June, 2005

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**ROAD DECLARED (ROAD FILE NO. 5333)**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) that the following resolution be adopted: (C6405306000)

**WHEREAS**, pursuant to A.R.S. §28-6701, on the 18th day of May, 2005, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Granite Mountain Ranch, Units 1 & 2 Off-sites, a subdivision as shown in Book 586 of Maps, Page 21, Book 586 of Maps, Page 19, M.C.R.

General Vicinity: 144th Street and Dixileta Drive

**WHEREAS**, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in the Arizona Business Gazette; and

**WHEREAS**, no objections to the establishment, opening and declaration of said highway have been filed; and

**WHEREAS**, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

**NOW, THEREFORE, BE IT RESOLVED** that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

**BE IT FURTHER RESOLVED** that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

**BE IT FURTHER RESOLVED** that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

**BE IT FURTHER RESOLVED** that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

**DATED** this 22nd day of June, 2005

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**ROAD DECLARED (ROAD FILE NO. 5334)**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) that the following resolution be adopted: (C6405307000)

**WHEREAS**, pursuant to A.R.S. §28-6701, on the 18th day of May, 2005, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Pasqualetti Mountain Ranch, Phase I, a subdivision as shown in Book 589 of Maps, Page 26, M.C.R.

General Vicinity: Indian School Road and 195th Avenue

**WHEREAS**, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in the Arizona Business Gazette; and

**WHEREAS**, no objections to the establishment, opening and declaration of said highway have been filed; and

**WHEREAS**, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

**NOW, THEREFORE, BE IT RESOLVED** that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

**BE IT FURTHER RESOLVED** that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

**BE IT FURTHER RESOLVED** that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

**BE IT FURTHER RESOLVED** that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

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**ROAD DECLARED (ROAD FILE NO. 5331)**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) that the following resolution be adopted: (C6405308000)

**WHEREAS**, pursuant to A.R.S. §28-6701, on the 18th day of May, 2005, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Wigwam Creek South, Parcel 2B, a subdivision as shown in Book 613 of Maps, Page 12, M.C.R.

General Vicinity: Dysart Road and Camelback Road

**WHEREAS**, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in the Arizona Business Gazette; and

**WHEREAS**, no objections to the establishment, opening and declaration of said highway have been filed; and

**WHEREAS**, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

**NOW, THEREFORE, BE IT RESOLVED** that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

**BE IT FURTHER RESOLVED** that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

**BE IT FURTHER RESOLVED** that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

**BE IT FURTHER RESOLVED** that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

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**ROAD DECLARED (ROAD FILE NO. 5332)**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) that the following resolution be adopted: (C6405309000)

**WHEREAS**, pursuant to A.R.S. §28-6701, on the 18th day of May, 2005, the County Engineer and others filed with the Board of Supervisors of Maricopa County, Arizona, a petition praying the Board to establish, open and declare as a county highway the following described lines, to-wit:

All streets consistent with the rights-of-way, as depicted in Russell Ranch, Phase 1, a subdivision as shown in Book 570 of Maps, Page 02, M.C.R.

General Vicinity: Citrus Road and Camelback Road

**WHEREAS**, the day and hour set by the Board for a public hearing on said petition has arrived, and notice of said hearing has been given to the public by advertising once a week for two consecutive weeks in the Arizona Business Gazette; and

**WHEREAS**, no objections to the establishment, opening and declaration of said highway have been filed; and

**WHEREAS**, the Board believes that the granting of said petition and the establishment, opening and declaration of the highway as prayed for in said petition, are for the best interests of Maricopa County, and said highway is a public necessity;

**NOW, THEREFORE, BE IT RESOLVED** that there is hereby established, opened and declared a county highway, more fully set forth hereinabove, and the County Engineer is hereby directed to make a plat of the survey of said highway and cause the same to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

**BE IT FURTHER RESOLVED** that the Board accept any right-of-way or property donated to the State or County for said highway. The Board hereby accepts all U. S. Patent easement reservations, right-of-way or properties along this alignment into the Department of Transportation's Highway system.

**BE IT FURTHER RESOLVED** that the County Engineer be directed and authorized, and he is hereby so directed and authorized, to negotiate with owners of parcels of private property required for the right-of-way of said public highway with the view of obtaining for Maricopa County said private property, subject to the ratification and approval of this Board.

**BE IT FURTHER RESOLVED** that the County Attorney be directed and authorized, and he is hereby directed and authorized, to initiate and prosecute actions and proceedings in the manner required by law to condemn all property required for right-of-way which cannot be obtained by donation or purchase.

**DATED** this 22nd day of June, 2005

**RESOLUTION FOR AIR POLLUTION CONTROL RULE 310 FOR ARIZONA SIP**

As required by 40 CFR 51, Chairman Wilson called for a public hearing to solicit comments on the Resolution to submit supplemental information on the implementation of Maricopa County Air Pollution

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Control Rule 310 consisting of the Application for Dust Control Permit and Guidance for Application for Dust Control Permit as a revision to (Arizona) State Implementation Plan (SIP) for PM-10. Following the public hearing, the Board is requested to approve the resolution and submit it as a revision to (Arizona) State Implementation Plan for PM-10. This item was continued from the June 8, 2005 meeting. (C8505019000) (ADM2354) (ADM2351-001)

Chairman Wilson asked if anyone wished to address the Board on this matter and 3 speakers came forward to speak in favor of the Air Pollution Control Rule 310.

Jo Crumbaker, Air Pollution Control Department, came forward to speak. She suggested the Board include additional language to the guidance document. She commented that the guidance document should be used as a tool for industry to complete dust control applications and that the permits must contain conditions and terms to comply with Rule 310. Ms. Crumbaker indicated that the changes to the document were to insert the date "June 2005" on the cover page and add language that explains the guidance document that reads as follows:

Maricopa County uses this guidance document as criteria when reviewing, evaluating, approving permits. The rules identified in this guidance document contain legally binding and enforceable requirements. Permits issued by the Department under the rules also contain legally binding and enforceable conditions and terms. This guidance document does not supersede or change any existing federal, state, or county regulations and laws, including requirements of an approved SIP. This guidance document in and of itself does not impose legally binding requirements on the County or the regulated community.

Amanda McGinnis, representing the Arizona Chapter Associated General Contractors, came forward to comment in favor of the Air Pollution Control Rule 310 and asked that the Board of Supervisors consider their concerns before approval. Ms. McGinnis asked that the Maricopa County Air Quality Department be cautioned that the guidance document be used to review the dust control applications, not to enforce dust violations. She also commented that not enough credit is given to emission reduction for compliance and asked that disclaimer language be added into this document. She asked that the Maricopa County Air Quality Control inspectors work with the contractors in helping resolve the immediate emission issues and said, "Taking action later does not help the immediate problem and will not help in cleaning-up our air pollution."

Spencer Kemps, representing the Home Builders Association of Central Arizona, came forward to speak. Mr. Kemps said he was in support of the new language, but asked that the guidance document be used as a tool for the application and not be used as a tool to enforce violations.

No protests having been received and after hearing three speakers coming forth at the Chairman's call, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the resolution with the suggested amendments outlined by Ms. Crumbaker, and submit it as a revision to (Arizona) State Implementation Plan for PM-10.

**RESOLUTION**

**WHEREAS**, the Maricopa County nonattainment area is designated as a Serious Area for particulate matter according to the Clean Air Act and has been granted an extension of the attainment date to 2006; and

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**WHEREAS**, the Serious Area Particulate Plan for PM-10 with an approved extension request is required to include Best Available Control Measures and Most Stringent Measures for significant sources and source categories; and

**WHEREAS**, Maricopa County committed to research, develop and incorporate additional requirements for dust suppression practices/equipment for construction activities into dust control plans and/or Rule 310; and

**WHEREAS**, the County has revised the dust control application form that includes the dust control plan and developed a guidance that explains the application form and rule requirements; and

**WHEREAS**, the dust control application form and guidance must be submitted to the administrator for approval into the SIP to satisfy the Board's commitment; and

**WHEREAS**, Arizona Revised Statutes 49-406 (G) requires that each agency that commits to implement a control measure describe that commitment in a resolution adopted by the governing body which specifies its authority for implementing the measures as provided in statute, ordinance, or rule; a program for enforcement of the measures; and the level of personnel and funding allocated to the implementation of the measure.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS, MARICOPA COUNTY (BOARD)** as follows:

**SECTION 1.** That the BOARD agrees to proceed with a good faith effort to implement the measure identified in Exhibit A, which is part of this resolution.

**SECTION 2.** That the BOARD commits to implement the measure as scheduled. Maricopa County also agrees to submit any modification, if necessary, to the technical provisions of the dust control application form and guidance in Exhibit A to EPA for approval as a SIP revision.

**DATED** this 22<sup>nd</sup> day of June 2005.

/s/ Chairman Max W. Wilson, District 4

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**RESULTS INITIATIVE REQUESTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to authorize the Office of Management and Budget to accept, review, recommend and prioritize the following Results Initiative Requests from the Assessor's Office in order to establish:

- o A Title Action Group,
- o A Real Property Canvass Team, and
- o A Sales Affidavit Team. (C1206001800) (ADM1825)

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**RECORDS RETENTION AND DISPOSITION SCHEDULE FOR COUNTY SUPERVISOR OFFICE RECORDS**

Pursuant to A.R.S. §41-1346, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the submission of a proposed "Records Retention and Disposition Schedule" to the Arizona State Library, Archives and Public Records, Records Management Division that will be applicable to County Supervisor office records. Authorize staff to modify the schedule as ASLAPR may require for its approval. (C0605021700) (ADM724)

**AMENDMENT WITH TELECOM CENTER PHOENIX, LLC. FOR STORAGE SPACE**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve Amendment No. 1 to the full service storage Lease No. L-7344 with Telecom Center Phoenix, LLC. for 2,500 square feet of storage space located in a basement area of 301 W. Jackson Street, Phoenix. The amendment creates a new 24-month term commencing on December 1, 2005 through November 30, 2007. The adjusted annual rental cost for the first year is \$2,500, or \$1 per square foot per year, plus rental tax. The second year rent is \$3,750, plus rental tax estimated at 2.5%. (C1904017101)

**RENEW AGREEMENT FOR KIDS VOTING, INC.**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve a renewal of the agreement for services for a two-year period with Kids Voting Inc. at a cost not to exceed \$30,000 per year. (C2198003703)

**INCREASE REVENUE/EXPENDITURE LEVELS FOR RICO FUND**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve an FY 2004-05 revenue and expenditure appropriation increase of \$175,000 in the Sheriff's RICO Fund (212). RICO revenue is not considered to be "local revenues" for the purpose of the constitutional expenditure limitation, therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C5005082800) (ADM3900-003)

**APPLY FOR AND ACCEPT GRANTS FROM ARIZONA CRIMINAL JUSTICE COMMISSION**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the following items:

- a. **Narcotic Enforcement Team.** Approve application and acceptance of continued grant funding up to \$412,000 from the Arizona Criminal Justice Commission for the Maricopa County Neighborhood Narcotic Enforcement Team. The award period for this grant is July 1, 2005 through June 30, 2006. This is a reimbursement grant. The Sheriff's Office indirect cost rate for FY 2004-05 is 14%. Unrecoverable indirect costs associated with this grant is estimated at \$57,680. There is a cash match requirement for the federal award that is shared among external participants and the Sheriff's Office. The Sheriff's Office portion is estimated to be \$58,273 and is included in the FY 2005-06 MCSO General Fund appropriation. (C5005555300)
- b. **Residential Substance Abuse Program.** Approve application and acceptance of continued grant funding of up to \$241,335 from the Arizona Criminal Justice Commission for the

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Residential Substance Abuse Program. The award period for this grant is July 1, 2005 through June 30, 2006. This is a reimbursement grant. The Sheriff's Office indirect cost rate for FY 2004-05 is 14 %. Unrecoverable indirect costs associated with this grant are estimated at \$33,787. The Sheriff's Office Inmate Services fund will cover the 25% match requirement, estimated to be \$60,334. (C5005556300)

**AMENDMENT WITH HAYDEN 3200, LLC FOR ADULT PROBATION OFFICE SPACE**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve and execute an amendment to Lease No. L-7065 with Hayden 3200, LLC, lessor, for 6,316 square feet of Adult Probation office space located at 3200 N. Hayden, Suite 165, Scottsdale, AZ. This amendment will extend the term of the existing lease commencing October 1, 2005 to September 30, 2010. Annual rental costs, including Scottsdale's 1.65% rental tax and Arizona's Sales Tax of 0.5%, is as follows:

- o Year 1 - \$132,261.72
- o Year 2 - \$134,907.00
- o Year 3 - \$137,616.72
- o Year 4 - \$140,391.00
- o Year 5 - \$143,229.84

The lessor agrees to provide four additional covered-reserved parking spaces at no cost to the lessee. The lease contains a 90-day termination provision and a 6-month holdover provision. This item was formerly approved on October 18, 2000, under agenda item C1101002404. (C1105006400)

**APPOINTMENT OF SUPERIOR COURT JUDGE PRO TEMPORE**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the appointment of Court Commissioner Phemonia L. Miller, as a Superior Court Judge Pro Tempore, for the period from June 22, 2005 through December 31, 2005, to serve in the various programs in the Superior Court to reduce trial delay. (C3805032700) (ADM1001)

**APPOINTMENTS OF PRO TEMPORE JUSTICES OF THE PEACE**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the appointment of Court Commissioner Frank Alan Johnson Jr., as Pro Tempore Justice of the Peace, for the period from June 22, 2005 through December 31, 2005, to serve in the various programs in the Justice Courts to reduce trial delay. (C3805033700) (ADM1001)

**AMENDMENT FOR NORTH MESA JUSTICE COURT OFFICE SPACE**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve Amendment No. 5 to full service Lease No. L-7171 with King Family Trust and B. Gale Wilson and Carolu Wilson Partnership, lessor, for 11,454 square feet of office space used for the North Mesa Justice Court located at 1837 S. Mesa Drive, Mesa. The amendment will provide for an exchange of premises within the facility and for a reduction in the area under lease. The area under lease will be reduced by 313 square feet from 9,311 to 8,998 square feet, with a corresponding adjustment in annual rent. The adjusted annual rent will be \$166,642.96, plus rental tax. (C2497004405)

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**FUNDS TRANSFER FOR LOCAL JCEF PROJECTS**

Pursuant to A.R.S. §42-17106, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the transfer of expenditure authority from FY 2004-05 contingency funds in an amount not-to-exceed \$300,000 from General Government (470) General Government Grants Fund (249) reserve for "Courts Fee Increases" (4711) to Trial Courts (800) Justice Court Enhancement Fund (204) in an amount not-to-exceed \$300,000 at fiscal year-end. This action will require an expenditure appropriation adjustment decreasing the FY 2004-05 General Government (470) General Government Grants Fund (249) by \$300,000 and increasing the FY 2004-05 Trial Courts (800) Justice Court Enhancement Fund (204) by \$300,000. These adjustments will result in a countywide net impact of zero. Approval of this action will allow the courts to use accumulated fund balance for one-time costs associated with approved local Justice Court Enhancement Fund (JCEF) projects. (C3805034300) (ADM1001)

**MODIFY MEMBERSHIP OF COMMISSION OF JUSTICE SYSTEM INTERVENTION FOR SERIOUSLY MENTALLY ILL**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to modify the authorized membership of the Commission of Justice System Intervention for the Seriously Mentally Ill to include a member of a municipal law enforcement agency. Authorize the Chairman of the Board of Supervisors to appoint this member. (C2005018M00) (ADM1008-001)

Supervisor Stapley reported that the next Commission meeting will be held June 30, 2005 and extended an invitation to anyone interested in attending.

**FUNDS TRANSFER FOR EXPENSES**

Pursuant to A.R.S. §42-17106(b), motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to:

- Approve and authorize the transfer of not-to-exceed \$1,133,313 at fiscal year end from General Government (470) Detention Fund (255) General Contingency (4711) to Correctional Health Services (260) Detention Fund (255) to cover higher than expected costs relating to restructuring costs, nurse vacancy rates and outside medical expenses. This action will require appropriation expenditure adjustments at fiscal year-end increasing the Correctional Health Detention Fund budget and reducing the General Government Detention Fund budget by not-to-exceed \$1,133,313, for a countywide net impact of zero.
- Approve and authorize the transfer of ~~\$1,213,836~~ \$2,000,000 (change was announced by the Clerk) in Appropriated Fund Balance (480) Detention Fund (255) General Contingency (4711) to a new line in Appropriated Fund Balance (480) Detention Fund (255) Other Detention Fund Programs (4812) entitled "Correctional Health: Consulting Fees" in order to cover consultant fees. (C2605014800) (ADM2131-003)

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**AMENDMENT WITH AMERIHEALTH MERCY HEALTH PLAN FOR THIRD PARTY ADMINISTRATOR SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to retroactively approve an amendment to the contract with AmeriHealth Mercy Health Plan for third party administrator services. This amendment is enacted to:

- o Clarify contract language,
- o Revise the terms to reflect the extension of the implementation period to December 1, 2004,
- o Increase the amount allotted for implementation from \$275,000 to \$811,250, and
- o Acknowledge the \$350,000 added to the not-to-exceed amount, per the Board of Supervisors' permission in August 2004, which made the new not-to-exceed \$10,850,000.

The responsibility of the contractor to pay and adjudicate claims remains July 1, 2004 through June 30, 2007, and the term of the contract remains July 7, 2004 through June 30, 2007. Attachment D, Paragraph 27 of the contract allows MMCS to unilaterally assign this contract to the Maricopa Special Healthcare District upon 90 days notice. Per Attachment D, Paragraph 39E, the county's obligation under this contract shall cease, specific to MHP or MLTCP, upon termination of that contract with AHCCCS and upon 10 days notice to the contractor of termination of that plan. (C6005001102)

**CONTRACT WITH SUPREME HOME CARE FOR SKILLED HOME HEALTH CARE SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to retroactively approve a new contract with Supreme Home Care for the provision of skilled home health care services. The not-to-exceed pool amount for all skilled home health care contracts is \$12,448,000 (agenda item C60034641). The contract term is June 1, 2005 through May 31, 2007. The contract may be extended for a total term up to five years and may be terminated with 90 days written notice by either party. MMCS may, upon 90 days notice, unilaterally assign this contract to a third party. The county's obligation under this contract shall cease, specific to MHP or MLTCP, upon termination of that contract with AHCCCS and upon 10 days notice to the contractor of termination of that plan. (C6005007100)

**CONTRACT WITH CENTERRE REHABILITATION HOSPITAL OF ARIZONA L.L.C FOR INPATIENT REHABILITATION SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve, retroactive to June 1, 2005, a contract with Centerre Rehabilitation Hospital of Arizona L.L.C., d.b.a. Phoenix Rehabilitation Hospital for the provision of inpatient rehabilitation services. Phoenix Rehabilitation Hospital is located on the 7th floor of the Maricopa Medical Center. This contract will be funded through the pool established by agenda item C6002067, for all hospital services. The contract term is June 1, 2005 through May 31, 2008, with the option to renew for two additional one-year terms. MMCS may, upon 90 days notice, unilaterally assign this contract to a third party and the county's obligation under this contract shall cease, specific to MHP or MLTCP, upon termination of that contract with AHCCCS and upon 10 days notice to the contractor of termination of that plan. (C6005052100)

**CONTRACT WITH LOS NINOS HOSPITAL INC. FOR INPATIENT HOSPITAL SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve a contract with Los Ninos Hospital Inc. for the provision of inpatient hospital services. This contract will be funded through the pool established by agenda item C6002067, for all hospital services. The contract term is July 1, 2005 through June 30, 2008, with the option to renew for two additional one-



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year terms. MMCS may, upon 90 days notice, unilaterally assign this contract to a third party. The county's obligation under this contract shall cease, specific to MHP or MLTCP, upon termination of that contract with AHCCCS and upon 10 days notice to the contractor of termination of that plan. (C6005054100)

**CONTRACTS FOR ASSISTED LIVING/ADULT CARE HOME SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the contracts for Assisted Living/Adult Care Home Services. The not-to-exceed amount was established in agenda item C60050151, and approved by the Board of Supervisors on September 8, 2004. This contract may be extended, not to exceed a total term of five years, and may be terminated by either party with 90 days written notice. MMCS may, upon 90 days notice, unilaterally assign this contract to a third party. The county's obligation under this contract shall cease, specific to MHP or MLTCP, upon termination of that contract with AHCCCS and upon 10 days notice to the contractor of termination of that plan.

- a. ~~Contracts C60057111 through C60057191, retroactively from May 1, 2005 through October 31, 2006. (C60057101ZZ)~~ (Item withdrawn per department; change announced by the Clerk)
- b. Contracts C60057221 through C60057281, retroactively from May 1, 2005 through October 31, 2006. (C60057211ZZ)
- c. Contract C60057291, retroactively from June 1, 2005 through October 31, 2006. (C6005729100)

**PERSONNEL AGENDAS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve Maricopa County (Exhibit A) and Judicial Branch (Exhibit B) Personnel Agendas. Exhibits A and B can be found at the end of this set of minutes. \*Clerk announced the following changes:

- David R. Weber change effective date to 04/25/05.
- Robert Boegler change effective date to 5/31/05.
- Kimberly Ann Stafford change reason from Special Salary Advancement to Salary Advancement.

**CORRECT FUNDS ADJUSTMENT**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to correct the language in paragraph 3 of the Action Requested Section of agenda item C4905028800 approved on March 9, 2005, to read as follows: All the above transfer transactions will be offset with corresponding adjustment to the Eliminations (980) Eliminations Fund (900). The net impact to the total county budget is a decrease in expenditures of \$1,130,939. (C4905028801) (ADM2375-003)

**RESCIND TRANSFER AUTHORITY FOR PACKAGE OF MEASURES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to amend the action taken on March 16, 2005, on agenda item C3905034800, by rescinding transfer authority in the amount of not-to-exceed \$3,000,000 from General Government (Fund 100) Contingency to Health Care Mandates to provide a package of measures designed to assist the Maricopa County Special Health Care District Board of Directors. This transfer authority proved unnecessary. (C4905053800) (ADM 4496) (ADM 2100-005)

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**RESCIND TRANSFER AUTHORITY FOR DEPUTY DIRECTOR**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to amend the action taken on January 19, 2005, on agenda item C7905040700, by rescinding transfer authority in the amount of \$64,343 from General Government (Fund 100) Contingency to Animal Care & control to appoint a Deputy Director. This transfer authority proved unnecessary. (C4905054800) (ADM 2300-001)

**AMENDMENT WITH ARIZONA BOARD OF REGENTS REGARDING WORK STATEMENT**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to:

- Approve Amendment No. 2 to an intergovernmental agreement with the Arizona Board of Regents by and on behalf of the University of Arizona, College of Medicine. This amendment will amend the work statement and increase the Associate Head of the Department of Public Health Faculty FTE status from 50% to 90% effective January 1, 2005, resulting in an increase of \$42,398. It will also amend the work statement for the Program Coordinator Residency Program position, which was contingent on Accreditation Council on Graduate Medical Education accreditation and establishment of a Public Health Residency Program, resulting in a decrease of \$41,416. The total net result to the contract will be an increase of \$982. Due to savings of \$982 in the current fiscal year, there is a net countywide impact of zero. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, therefore expenditures of these revenues are not prohibited by the budget law. The approval of this grant does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.
- Authorize the possibility of renewal on a month-to-month basis from July 1, 2005 through December 31, 2005 as necessary, at a cost of \$75,597. Approval of this action will allow expenditures of up to \$75,597 from the Public Health (860) General Fund (100) to fund the extension of the contract on a monthly basis, from July 1, 2005 through December 31, 2005. Due to personnel savings in FY 2005-06, there is a net countywide impact of zero. (C8604023202)

**FUNDS TRANSFER FOR BENEFITS ENROLLMENT**

Pursuant to A.R.S. §42-17106(b), motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the transfer of revenue and expenditure authority from the Total Compensation Department (352) Benefits Trust Fund (685) to the Total Compensation Department (351) HealthSelect Self-Insured Trust Fund (652) in the amount of \$950,282. These adjustments will result in a countywide net impact of zero. Approval of this action will allow the revenue and expenditure budgets of both funds to align with the current benefit enrollment selections of staff. (C3505022800) (ADM3350)

**AGREEMENTS FOR PARTICIPATION IN URBAN COUNTY COMMUNITY DEVELOPMENT PROGRAMS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve and execute the cooperation agreements for all units of local government wishing to

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participate in the Maricopa County Urban County Community Development Programs (CDBG & HOME) from July 1, 2006 through June 30, 2008 2009 (change was announced by the Clerk), for federal fiscal years 2006, 2007, and 2008. (C17050862ZZ)

**IGA WITH MUNICIPALITIES AND RESOLUTION TO RECEIVE HOME ALLOCATIONS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to:

- Approve a Maricopa HOME Consortium Intergovernmental Agreement (IGA) with nine municipalities including: Avondale, Chandler, Gilbert, Glendale, Mesa, Peoria, Scottsdale, Surprise, and Tempe.
- Approve the resolution stated below authorizing execution of same by the Chairman of the Board for the purpose of being qualified to receive HOME allocations as a Participating Jurisdiction (PJ) for the federal fiscal year of 2006 (2006-07) and thereafter. The agreement provides an automatic renewal clause for succeeding years at the end of the initial term. As a result, the agreement will remain in effect until the participating municipalities elect to amend or not to renew the document. (C1705107200)

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MARICOPA, ARIZONA, AS FOLLOWS:

Section 1: That the Intergovernmental Agreement between the County of Maricopa and other municipalities to form a consortium to receive federal funding under the HOME Investment Partnership Program, is hereby approved.

Section 2: That the Chairman of the Board is authorized and directed to execute the Agreement on behalf of the County of Maricopa; and the Clerk of the Board of Supervisors is authorized and directed to attest to the signature of the Chairman of the Board thereon.

**APPOINT MEMBERS TO COMMUNITY DEVELOPMENT ADVISORY COMMITTEE**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to appoint members to the Community Development Advisory Committee (CDAC) to serve a one-year term from July 1, 2005 through June 30, 2006. All CDAC appointments expire on June 30 of each year and positions remain vacant until such time as the Board of Supervisors appoints representatives to serve for the coming year. (C1705109900) (ADM1501)

**City**

Buckeye  
El Mirage  
Goodyear  
Litchfield Park  
Queen Creek  
Surprise  
Tolleson  
Wickenburg  
Youngtown

**Primary**

Robert Doster  
Roy Delgado  
Dick Sousa  
J. Woodfin Thomas  
Joyce Hildebrandt  
Danny Arismendez  
  
Dave Lane  
Larry Oglesby

**Alternate**

Levi Beard  
Michele Kern  
Frank Cavalier  
Robert Musselwhite II  
Toni Valenzuela  
Gary "Doc" Sullivan  
Jose "Diego" Espinoza  
John Zerby  
Bryan Hackbarth

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**Supervisorial District**  
District 3  
District 5

**Appointee**  
Horst Kraus  
Chuck Turner

**Appointee**  
Richard Painchaud

**AMENDMENT WITH FSAL FOR HOME WEATHERIZATION AND REPAIR**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve Amendment No. 2 (a one-year renewal to the contract) with Foundation for Senior Adult Living, Inc. (FSAL), a non-profit organization. The amendment will provide funding in the amount of \$511,467, for the operation of the low-income home weatherization and minor home repair programs. Program funding resources are provided by formula allocations to Maricopa County by Arizona Public Service, Southwest Gas, Arizona Department of Commerce/Energy Office and the Arizona Department of Economic Security. There are no county general funds involved in the contract. Funding is contingent upon the receipt of fully executed funding agreements between Maricopa County and the Arizona Department of Economic Security, the Arizona Department of Commerce/Energy Office and Arizona Public Service. The period of performance for this amendment is July 1, 2005 to June 30, 2006. (C2205085102)

**INTERGOVERNMENTAL AGREEMENTS FOR HEAD START PROGRAM**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the following non-financial intergovernmental agreements (IGAs):

- a. IGA between the Kyrene Elementary School District and Maricopa County Human Services Department to collaboratively provide the Maricopa County Head Start Program with services to preschool children with disabilities, as defined in A.R.S. §15-761, who are enrolled in the Head Start program. The Kyrene Elementary School District will provide classroom and playground facilities as well as services for preschool children with disabilities, who are enrolled in the Head Start program. The term of the IGA is July 1, 2005, through June 30, 2008. (C2206088200)
- b. IGA between the Mesa Unified School District and Maricopa County Human Services Department to collaboratively provide the Maricopa County Head Start program with services to preschool children with disabilities, as defined in A.R.S. §15-761, who are enrolled in the Head Start program. Mesa Unified School District will provide classroom and playground facilities as well as services for preschool children with disabilities, who are enrolled in the Head Start program for another program year. The agreement is effective July 1, 2005, through June 30, 2008. (C2206089200)

**WORKFORCE INVESTMENT BOARD APPOINTMENTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to appoint the following 26 individuals to the Maricopa Workforce Connection, which serves as the Workforce Investment Board, for the balance of Maricopa County, outside the City of Phoenix, as required under the Workforce Investment Act of 1998. The terms are effective upon appointment by the Board of Supervisors through June 30, 2007. (C2206101M00) (ADM2512)

Neal Alexander  
Susan Andrews  
Dr. Tacy Ashby

Littler Mendelson Law Firm  
National Bank of Arizona  
Arizona Department of Education

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| Bill Candland         | American Title Insurance                       |
| Jolynn Clarke         | Salt River Project                             |
| Dr. Mehran Ferdowsian | Intel  |
| Rebecca Flanagan      | Housing and Urban Development                  |
| Jane Fletcher         | Camelback Inn                                  |
| John Garza            | Arizona Public Service                         |
| Rick Hansen           | Maricopa Community College District            |
| Bill Harrington       | Nordstroms                                     |
| Marilyn Harris        | Banner Desert Medical Center                   |
| Marion Kelly          | Mayo Clinic                                    |
| Tony Maldonado        | Mesa Public Schools                            |
| Jim Ponte             | Harris Printers                                |
| Dolores Sanchez       | Title V  |
| Susan Schmidt         | Maricopa County Workforce Development Division |
| Barb Stahl            | McDonald's Corporation                         |
| Annette Stein         | Maricopa County Human Services Department      |
| Janine Tilli          | TGEN   |
| Karen Thorne          | Phoenix Indian Center                          |
| Richmond Vincent      | Arizona Commercial Realty                      |
| Mike Wall             | Phoenix Pipetrade Apprenticeship Program       |
| Craig Warren          | Rehabilitation Services Administration         |
| Nancy Welch           | Morrison Institute for Public Policy           |
| Ann Marie Whitacre    | Central Arizona Shelter Services               |

**PERMANENT ADDITION TO THE FLEET: UTILITY TRACTOR**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the purchase of a utility tractor to facilitate the maintenance of Utery Mountain Regional Park. It is further requested that the listed vehicle be added to the Maricopa County vehicle fleet. The cost of the equipment including tax and warranty is estimated to be \$43,845. Receipt of this vehicle will be made July 1, 2005 or later. This vehicle is consistent with the county's vehicle policy. Any vehicle replacement costs associated with adding the vehicle to the county fleet will be the responsibility of the requesting department and will be absorbed within the current and future budget appropriations. This purchase is approved in the FY 2005-06 tentative budget for Parks and Recreation, using the one-time availability of Enhancement Funds (241-305-3009). (C3005044M00) (ADM3104)

**FUNDS TRANSFER FOR SOUVENIR INVENTORY**

Pursuant to A.R.S. §42-17106B, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to:

- Approve and authorize the transfer of expenditure authority between the Parks Lake Special Revenue Fund (Dept 300, Fund 240) and the Parks Souvenir Fund (Dept 300, Fund 239). This action will require an expenditure appropriation adjustment decreasing the FY 2004-05 Parks Lake Pleasant Fund (Dept 300, Fund 240) by \$15,000 and increasing the FY 2004-05 Parks Souvenir Fund (Dept 300, Fund 239) by \$15,000. These adjustments will result in a countywide net impact of zero. Approval of this action will allow the Parks Department to purchase additional souvenir inventory for resale.
- Approve an appropriation adjustment increasing the FY 2004-05 Parks Souvenir Fund (Dept 300, Fund 239) revenue budget by \$30,000 to reflect additional revenue, an

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appropriation adjustment increasing the FY 2004-05 Parks Souvenir Fund (Dept 300, Fund 239) expenditure budget by \$15,000 to increase the Transfer Out to the Parks Enhancement Fund (Dept 300, Fund 241), an appropriation adjustment increasing the FY 2004-05 Parks Enhancement Fund (Dept 300, Fund 241) revenue budget by \$15,000 for the Transfer In from the Parks Souvenir Fund (Dept 300, Fund 239), and appropriation adjustments decreasing revenues and expenditures in the Parks Eliminations Fund (Dept 300, Fund 900) by \$15,000 to offset the fund transfer. These actions will allow for an increase in the transfer of funds at the end of the fiscal year from the Parks Souvenir Fund (Dept 300, Fund 239) to the Parks Enhancement Fund (Dept 300, Fund 241) in accordance with A.R.S. §11-941 (D). (C3005048000) (ADM3200-003)

**DONATION**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the acceptance of a donation made by MariSol Federal Credit Union to Animal Care & Control in the amount of \$1,200. (C7905094700) (ADM2300)

**FUND TRANSFERS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference.

**RESCIND ACTION AND APPROVE LICENSE AGREEMENT FOR HOMELESS OUTREACH PROGRAM**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to Rescind Board Action C8605622400 on February 16, 2005, for a sublease with Human Services Campus L.L.C., and approve a license agreement with Human Services Campus L.L.C., (licensor) for use of the same premises located at 1001 W. Jefferson Street. The license is retroactive to July 1, 2004, and will remain in effect until completion of a permanent replacement facility on the Human Services Campus. Monthly cost for the license will be \$616 or \$7,392 annually. This license, for use of 616 square feet at the site, will enable the Public Health Department to continue its Health Care for the Homeless outreach program. (C1805031C00)

**SOLICITATION SERIALS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the following solicitation serial items. The action on the following items is subject to County Counsel's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

**Award of Solicitation Serials**

**05032-C      Corrugated Boxes and Related Items** (\$285,000 estimate/four years with two one-year renewal options). Price agreement to purchase corrugated boxes, pet carriers and related items for the Animal Care and Control Department and the Sheriffs Warehouse.

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- o Discount Package Supply, Inc.
- o Sound Packaging, LLC

- 05033-S Storm and Sewer Line Cleaning** (\$1,000,000 estimate/five years). Price agreement for storm and sewer line cleaning services for Maricopa County Department of Transportation and other county agencies.
- o Pro Pipe

**Renewals/Extensions:**

**The renewal/extension of the following contract.** (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed):

**Until September 30, 2008**

- 03038-C Fuel Deliveries for Above Ground Tanks, Gasoline/Diesel** (\$1,800,000 estimate/three years). Price agreement renewal for the purchase and delivery of fuel to above ground tanks.
- o Brown Evans Distributing Company

**CAPA**

The following individuals have successfully completed training provided by Materials Management and will be able to conduct nominal value procurements in selected areas for their individual agencies in accordance with the approved Certified Agency Procurement Aide Policy and Procedures.

**Facilities Management**

Ted Rodriquez

**Juvenile Probation**

Theresa Winter

**Legal Advocate**

Sherri Boczar

**Department of Transportation**

Becky Petty

**Public Health**

Larry Campbell

**Superintendent of Schools**

Candace Cochran

**AGREEMENT WITH US BANK FOR WORKERS COMPENSATION CLAIMS ACCOUNT**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve Depository Services Resolution Agreement with US Bank to designate certain employees of Maricopa County's third party workers compensation administrator, Pinnacle Risk Management Services to be authorized signers on Maricopa County's Workers Compensation Claims Account. (C7505020000) (ADM3712 )

**TRANSFER FUNDS FOR TECHNOLOGY EXPENSES**

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the transfer of authority and expenditure of not-to-exceed \$871,353 at fiscal year-end from Appropriated Fund Balance (480) General Fund (100) Reserved Items (4811) Line Item "Technology Projects" to Appropriated Fund Balance (480) General Fund (100) Technology Projects (4814), newly created Line Item "CIO Technology Issues". Approval of this action will

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assist the Chief Information Officer (CIO) in accommodating increased expenditures due to the accounting treatment of the Microsoft Enterprise Agreement (\$509,000), additional expenses incurred by the CIO for one time maintenance and support of PeopleSoft (\$258,322), consulting costs for email system upgrade (\$102,060), and lease costs associated with a surplus Desktop PC order (\$53,452). The total cost of these one-time expenditures is \$922,834. The department is projected to offset the expenditure with \$51,481 in expenditure savings equaling the request for not-to-exceed \$871,353. Approval of this action will require appropriation expenditure adjustments at fiscal year-end increasing the Appropriated Fund Balance General Fund Technology Projects budget and reducing the Appropriated Fund Balance General Fund Reserved Items – Technology Projects budget by not-to-exceed \$871,353 for a countywide net impact of zero. (C4105005800) (ADM2700-003)

**CONTRACT WITH NEXTIRAONE FOR TELEPHONE SWITCH MAINTENANCE AND SUPPORT**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve a sole source contract to NextiraOne for the maintenance and support of the county's Nortel SL-100 telephone switch, not-to-exceed \$550,000. This maintenance agreement will provide the county with hardware maintenance, software maintenance upgrade program, technical support, and an on-site technician. Funding for this maintenance will be from the Telecommunications FY 2005-06 budget. (C7605008100)

**FUNDS TRANSFER FOR TELECOMMUNICATIONS SERVICES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve an increase in the Telecommunications FY 2004-05 expenditure and revenue budgets in the amount of \$2,216,962, with an offsetting transaction to Elimination's of \$2,216,962. This adjustment will accommodate increased expenditures generated by customer driven work orders and carrier provided services and will be funded from the corresponding revenue generated by those activities. This agenda item accounts for the expenditure of previously budgeted funds from county departments purchasing services and equipment through Telecommunications. This does not result in an amendment to the FY 2004-05 county budget as adopted. (C7605009800) (ADM5300-003)

**EXPAND VEHICLE FLEET**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the authorization to expand the Department of Air Quality's vehicle fleet with the purchase of 30 vehicles at a cost of \$547,500. The composition of 30 trucks is five compact extended cab four-wheel drive pick-ups with tool boxes, and 25 compact extended cab two-wheel drive pick-up trucks with tool boxes for the Department of Air Quality. These vehicles will be used by Dust Control Earth Moving, Large Source Compliance Inspectors, Large Source Permit Enforcement, and Large Source Permit Review. These vehicles will be purchased from Department Fund balance.

Approval of this agenda item is contingent on the Board's adoption of the FY 2005-06 final budget which includes the funding necessary for this action. The proposed final budget presented to the Board of Supervisors for adoption on June 20, 2005, includes a change from the tentative budget adopted on May 18, 2005, to fund this action. The change is as follows: budgeted expenditures in the General Government (470), General Government Grant Fund (249) are reduced by \$547,500 and budgeted expenditures in Air Quality (850) Air Quality Fees Fund (504) are increased by \$547,500. (C8505022M00) (ADM2375-003) (ADM3104)



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**GRANT FROM ADEM FOR OPERATIONS MANAGER SALARY REIMBURSEMENT**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve and accept Reimbursement Grant No. 2003-EU-T3-001, in the amount of \$5,000 that was allocated under the county's share of the FY 2003 Urban Areas Security Initiative grant for the Operations Managers' time spent on planning responsibilities. The Department of Emergency Management's indirect cost rate is 11.53% for FY 2004-05, which totals \$576.50. The grant allows a maximum indirect cost recovery of 3%. The department is requesting a waiver of indirect costs, as the purpose of the grant is to provide reimbursement for 137.78 hours within the planning arena of the grant by the Operations Manager. This cost will be fully absorbed in the Department of Emergency Management's budget. Approve revenue appropriation adjustments to the Maricopa County Emergency Management Department (215) Grant Fund associated with the grant by \$5,000 for FY 2004-05. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, therefore expenditure of these revenues is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. The grant award period is July 1, 2003 through June 30, 2005. (C1505010300)

**FUNDS ADJUSTMENT FOR INCREASED FUEL COSTS**

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to authorize the approval of an increase in budgeted revenue (654-740-7414-FUEL-636) and budgeted expenditures (654-740-7414-FUEL-801-01) for FY 2004-05 in the amount not-to-exceed \$1,614,199 due to increased fuel costs. The revenue for fuel will offset the wholesale expense. This will require an offsetting revenue (900-981-0980-636) and expenditures (900-981-0980-834) transaction in Eliminations not-to-exceed \$1,614,199, that will have a net zero impact to the budget. (C7405004800) (ADM3100-003)

**INCREASE EXPENDITURE AUTHORITY FOR DOWNTOWN CONSOLIDATED JUSTICE COURT PROJECT**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to correct agenda item C7005018800, approved on September 15, 2004:

- o Add to Section C - Approve an increase in expenditure authority in the FY 2004-05 budget to General Government (Department 470) Capital Improvement Fund (435) in the amount of \$4,170,244 for the increase to the Downtown Consolidated Justice Court Project. Expenditures in Fund (435) are funded by non-local revenues and are therefore, not subject to the county's expenditure limitation. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.
- o Remove Section D. (C7005018801) (ADM800-003)

**EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. (ADM2007)

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- |                      |   |
|----------------------|---|
| A187.001<br>(DWM/HH) | Project No: TT046 - 132nd Street (Chandler Heights Road to Brooks Farms Road) - Agreement for Right of Entry - Parcel No.: 303-44-005K - Joe Bernal and Sophia Brenda Bernal - for the sum of \$500.00.                   |
| A187.001<br>(DWM/HH) | Project No: TT046 - 132nd Street (Chandler Heights Road to Brooks Farms Road) - Easement and Agreement for Highway Purposes - Parcel No.: 303-44-005K - Joe Bernal and Sophia Brenda Bernal - for the sum of \$30,768.00. |
| A187.001<br>(DWM/HH) | Project No: TT046 - 132nd Street (Chandler Heights Road to Brooks Farms Road) - Purchase Agreement and Escrow Instructions - Parcel No.: 303-44-005K - Joe Bernal and Sophia Brenda Bernal.                               |
| A187.002<br>(EGA/HH) | Project No: TT046 - 132nd Street (Chandler Heights Road to Brooks Farms Road) - Agreement for Right of Entry - Parcel No.: 303-44-006R, 006T - Garth Leon Taylor and Ellen Joan Taylor – for the sum of \$500.00.         |
| A236.004<br>(HH)     | Project No: TT046 - 103rd Street (McLellan to Jensen) - Agreement for Right of Entry - Parcel No.: 220-02-026B - June Louise Barker Vance and Donald Barker, Jr., Trustees - for the sum of \$500.00.                     |
| A236.004<br>(HH)     | Project No: TT046 - 103rd Street (McLellan to Jensen) - Easement and Agreement for Highway Purposes - Parcel No.: 220-02-026B - June Louise Barker Vance and Donald Barker, Jr., Trustees - for the sum of \$18,344.00.   |
| A236.004<br>(HH)     | Project No: TT046 - 103rd Street (McLellan to Jensen) - Purchase Agreement and Escrow Instructions - Parcel No.: 220-02-026B - June Louise Barker Vance and Donald Barker, Jr., Trustees.                                 |
| A237.001<br>(CS)     | Project No: 69010 - 104 <sup>th</sup> Street (MCFCD Canal to McLellen) - Agreement for Right of Entry - Parcel No.: 220-04-005F - Carlos J. Acosta, Sr. and Graciela Acosta as Trustees - for the sum of \$500.00.        |
| A237.001<br>(CS)     | Project No: 69010 - 104th Street (MCFCD Canal to McLellen) - Easement and Agreement for Highway Purposes - Parcel No.: 220-04-005F - Carlos J. Acosta, Sr. and Graciela Acosta as Trustees - for the sum of \$6,000.00.   |
| A237.001<br>(CS)     | Project No: 69010 - 104th Street (MCFCD Canal to McLellen) - Purchase Agreement and Escrow Instructions - Parcel No.: 220-04-005F - Carlos J. Acosta, Sr. and Graciela Acosta as Trustees.                                |
| A263.007<br>(JPM)    | Project No: TT047 - 33rd Avenue (Irvine Road to Desert Hills Drive) - Agreement for Right of Entry - Parcel No.: 203-14-024G - John Sprague and Danette Sprague - for the sum of \$500.00.                                |
| A279.014<br>(LS)     | Project No: TT028 - Rustler Road (186th to 188th Avenue) - Agreement for Right of Entry - Parcel No.: 400-52-923C - John Edmonds and Shelley Edmonds - for the sum of \$100.00.   |
| A279.014<br>(LS)     | Project No: TT028 - Rustler Road (186th to 188th Avenue) - Easement and Agreement for Highway Purposes - Parcel No.: 400-52-923C - John and Shelley   |

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Edmonds - for the sum of \$1,532.00.

|                   |   |
|-------------------|---|
| A279.014<br>(LS)  | Project No: TT028 - Rustler Road (186th to 188th Avenue) - Purchase Agreement and Escrow Instructions - Parcel No.: 400-52-923C - John and Shelley Edmonds.   |
| A317.014<br>(LS)  | Project No: TT012 - Avondale Boulevard (Gila River to Hidalgo Avenue) - Easement and Agreement for Highway Purposes - Parcel No.: 101-44-019 - Celso Estrada - for the sum of \$3,133.00.                                 |
| A317.014<br>(LS)  | Project No: TT012 - Avondale Boulevard (Gila River to Hidalgo Avenue) - Purchase Agreement and Escrow Instructions - Parcel No.: 101-44-019 - Celso Estrada.  |
| A339.039<br>(JPM) | Project No: TE171 - Meeker Boulevard at Aleppo Drive - Agreement for Right of Entry - Parcel No.: 232-12-059 - Elvera Carlson Walden - for the sum of \$500.00.   |
| A339.040<br>(JPM) | Project No: TE171 - Meeker Boulevard at Aleppo Drive - Agreement for Right of Entry - Parcel No.: 503-59-003J - First Church of Christ, Scientist, Sun City West, Arizona, Inc. - for the sum of \$500.00.                |
| DD-9506<br>(CS)   | Project No: TL008 - Power Road & Galveston Road - Agreement for Right of Entry - Parcel No.: 304-37-024A - James R. McDowell - for the sum of \$10.00.  |
| DD-9506<br>(CS)   | Project No: TL008 - Power Road & Galveston Road - Easement and Agreement for Highway Purposes - Parcel No.: 304-37-024A - James R. McDowell - for the sum of \$10.00.   |
| X-534<br>(CS)     | Project No: 68927 (TO68A) - Ellsworth Road (Germann to Baseline) - Warranty Deed - Parcel No.: 304-62-019A, B & C - Roger Ferguson and Sybil Ferguson - for the sum of \$42,430.00.                                       |
| X-534<br>(CS)     | Project No: 68927 (TO68A) - Ellsworth Road (Germann to Baseline) - Purchase Agreement and Escrow Instructions - Parcel No.: 304-62-019A, B & C - Roger Ferguson and Sybil Ferguson.                                       |
| X-1463-1<br>(JPM) | Project No: 68902 - Ellsworth Road (University Drive to McClellan Road) - Letter Agreement for a Temporary Ingress and Egress Permit - Parcel No.: 220-21-314 - Mr. and Mrs. Shad W. Schafer - for the sum of \$100.00.   |
| X-1466-1<br>(JPM) | Project No: 68902 - Ellsworth Road (University Drive to McClellan Road) - Letter Agreement for a Temporary Ingress and Egress Permit - Parcel No.: 220-21-311 - Mr. and Mrs. Shannon E. Andrus - for the sum of \$100.00. |
| N/A<br>(LJS)      | Project No: 68931 and 80408 - Alma School Road Bridge at Salt River - Applicant's Certificate (Mylar Prints) - Salt River Pima-Maricopa Indian Community.   |

**AMENDMENT TO FY 2004-05 FIVE-YEAR CIP – TRANSPORTATION CAPITAL PROJECTS**

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Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve an amendment to the current FY 2004-05 five-year CIP for Fund (234) – Transportation Capital Projects Fund adopted by the Board on July 12, 2004.

**Decrease** the FY 2004-05 capital budget for:

| <b>Project</b> | <b>Description</b>                               | <b>Capital Budget</b> |
|----------------|--|-----------------------|
| T068           | Ellsworth Germann to Baseline                    | \$2,850,000           |
| T081           | Gilbert Rd: McDowell – SR 87                     | \$3,000,000           |
| T142           | Alma School North Bridge Grade Control Structure | \$2,330,000           |

**Increase** the FY 2004-05 (Year 1) capital budget for:

| <b>Project</b> | <b>Description</b>                  | <b>Capital Budget</b> |
|----------------|-------------------------------------|-----------------------|
| T007           | Previous Year's Projects            | \$1,000,000           |
| T012           | General Civil Engineering           | \$200,000             |
| T028           | PM10 Program                        | \$600,000             |
| T032           | PM10: (PH3) NE Area                 | \$75,000              |
| T034           | PM10 (PH2) NE area (Grp2)           | \$30,000              |
| T037           | PM10 (PH3) SE area                  | \$70,000              |
| T043           | PM10 McNeil 35th to 31st Ave        | \$130,000             |
| T064           | Baseline: 7th Ave to 43rd Ave       | \$5,000               |
| T075           | 51st Ave: Broadway to Baseline      | \$8,000               |
| T076           | McQueen Rd: Queen Creek to Pecos    | \$300,000             |
| T099           | 75th Ave: MC85 to Van Buren         | \$250,000             |
| T103           | El Mirage: Bell to Beardsley        | \$2,370,000           |
| T104           | El Mirage: Beardsley to SR 303      | \$20,000              |
| T108           | McDowell Mountain Shoulder Widening | \$40,000              |
| T134           | Loop 303: Greenway to Bell Rd       | \$2,000               |
| T163           | MC 85 at Miller Rd                  | \$30,000              |
| T165           | Fire Station at 111th Ave           | \$50,000              |
| T176           | Low Volume Roads Program            | \$3,000,000           |

The requested adjustments are necessary to realign project budgets to more closely match the year-end projected expenditure amount and result in a net impact of zero. (C6405326800) (ADM2000-003)

**CONTRACT WITH KIRKHAM MICHAEL CONSULTING ENGINEERS FOR CORRIDOR STUDY**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve Consultant Services Contract 2004-97 in an amount not-to-exceed \$224,241 with Kirkham Michael Consulting Engineers to perform an access control and corridor study for the El Mirage Road, Northern Avenue to Bell Road, Project No. T167, Work Order No. 69071. The project performance period is 270 calendar days after issuance of the notice-to-proceed. Approve a FY 2005-06 budget transfer of \$75,000 from Project No. T005, Planning Studies (CARS & Corridor Studies), to Project No. T005, El Mirage Road: Northern to Bell Corridor Study, to fund the contract. Approval of this agenda item is contingent upon the Board adopting the recommended FY 2005-06 budget. (C6405334500)

**REIMBURSE CRYSTAL MANOR COMMUNITY FOR REPAIR OF SERVICE POWER**

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Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the reimbursement to Crystal Manor Community for the repair of service power for their community entrance sign that was damaged during construction of MCDOT Project TT062 (68902) Ellsworth Road from Brown Road to McLellan Road. The cost may not exceed the current estimate of \$1,000 by more than ten percent. Approval of this agenda item is contingent upon the Board adopting the recommended FY 2005-06 budget. (C6405336000) (ADM 2000-006)

**BOARD OF EQUALIZATION**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to appoint Mr. Phil Broadbent replacing Mr. Vance Lamascus, who recently resigned. This term is effective from Board of Supervisors' approval through December 31, 2008. (ADM 4908-001)

**HEARINGS SET**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the following road file declarations. All hearings will be held at 205 W. Jefferson, Phoenix, unless otherwise noted:

- a. **Road File Declaration** – A public hearing was set to declare the following roads into the county highway system for 9:00 a.m., Wednesday, August 10, 2005.
  - i. **Road File No. A319.** In the vicinity of 124th Street and Chandler Heights Road. (C6405335B00)

**HEARING SET - PLANNING AND ZONING CASES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to schedule public hearings on Planning, Zoning and Building Code cases in the unincorporated areas of Maricopa County for October 10, 2005, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows:

Z2001042:Z2004110:Z2003120:Z2004108

**ASRS CLAIMS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. (ADM3309-001)

| <b>Employee Name</b> | <b>Total Employer Payment</b> |
|----------------------|-------------------------------|
| June Edwards         | \$17,062.87*                  |

(\*This amount includes \$14,336.65 approved on April 6, 2005 plus additional interest of \$2,726.22 for a new Employer payment amount of \$17,062.87.)

**CANVASS OF ELECTIONS**

No canvasses were reported at this time.

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**CLASSIFICATION CHANGES**

No Classifications were reported at this time. (ADM723)

**COMPROMISES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to accept the requested compromises as payment in full for the following cases: (Discussed in Executive Session on June 6, 2005). (ADM407)

|                 |             |                      |            |
|-----------------|-------------|----------------------|------------|
| Chacon, Yolanda | \$921.00    | Marsh-Schuh, Melissa | \$4,000.00 |
| Christe, Robert | \$7,000.00  | Nicolas, Valerie     | \$3,000.00 |
| Javier, Rebecca | \$5,000.00  | Villezcac, Eric      | \$600.00   |
| Jewell, Sharon  | \$34,184.05 | Yaira, Colon         | \$4,000.00 |
| Lugo, Denise    | \$3,500.00  |                      |            |

**DUPLICATE WARRANTS**

Pursuant to A.R.S. §11-632, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the request that duplicate warrants be issued to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

**County**

| <b>NAME</b>     | <b>WARRANT</b> | <b>FUND</b> | <b>AMOUNT</b> |
|-----------------|----------------|-------------|---------------|
| Barry Hamill    | 250063095      | General     | \$1,049.73    |
| Town of Gilbert | 350538271      | Expense     | \$1,151.00    |
| George Zeller   | 250064151      | County      | \$198.88      |

**School**

| <b>NAME</b>                   | <b>SCHOOL</b>     | <b>WARRANT</b> | <b>AMOUNT</b> |
|-------------------------------|-------------------|----------------|---------------|
| Hermitage Art Company         | Pendergast SD #92 | 450108922      | \$43.28       |
| Scholastic Teaching Resources | Laveen Elem       | 450051459      | \$147.91      |
| Charlotte Faris               | Madison SD        | 1551188        | \$461.32      |
| Tracy Putnam                  | Littleton SD      | 150122498      | \$522.73      |
| Clarice Sanders               | Wilson SD #7      | 150113406      | \$273.17      |
| Teresa Delgadillo             | Phx Elem SD #1    | 150124294      | \$400.33      |

**MINUTES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the minutes of the Board of Supervisors meetings held March 16, 2005, March 21, 2005 and March 22, 2005.

**MINUTES CORRECTION**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to correct the minutes of November 3, 2004, regarding agenda item C5005024M00 from a 1997 Chevrolet Corsica to a 1991 Chevrolet Corsica.

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**OFF-TRACK PARI-MUTUEL WAGERING PERMIT**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve application filed by Yavapai County Fair Association d.b.a Yavapai Downs at Prescott Valley for Off-Track Pari-mutuel Wagering Permit for Gavilan Peak Pizzeria, located at 46639 N. Black Canyon Highway, New River, 85087 covering races from date of Board of Supervisors' approval through September 6, 2005 and May 27, 2006 through September 5, 2006. (ADM151)

**PRECINCT COMMITTEEMEN**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to authorize the appointment of precinct committeemen to fill vacancies in various precincts, pursuant to A.R.S. § 16-231.B, and removal of precinct committeemen due to disqualification in accordance with lists dated June 22, 2005, as submitted by the Elections Director, and on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with the Department of Library Archives, and Public Records retention schedule. (ADM1701)

**SECURED TAX ROLL CORRECTIONS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve requests from the Assessor for corrections of the Secured Tax Rolls. (List is retained in accordance with ASLAPR approved retention schedule.) (ADM705)

| <b>Tax Roll</b> | <b>From No.</b> | <b>To No.</b> | <b>Net Result</b> |
|-----------------|-----------------|---------------|-------------------|
| 2000            | 12891           | 12906         | -\$22,704.88      |
| 2000            | 12908           | 12909         | -\$1,701.72       |
| 2000            | 12910           | 12916         | -\$1,731.84       |
| 2000            | 12918           | 12923         | -\$2,948.52       |
| 2001            | 38829           | 38875         | -\$55,278.20      |
| 2001            | 38885           | 38903         | -\$62,362.02      |
| 2001            | 38904           | 38923         | -\$40,243.08      |
| 2001            | 38924           | 38976         | -\$52,253.68      |
| 2001            | 38885           | 38903         | -\$62,362.02      |
| 2001            | 38977           | 38987         | -\$1,819.40       |
| 2002            | 15816           | 15900         | -\$249,739.52     |
| 2002            | 15912           | 15938         | -\$244,541.18     |
| 2002            | 15981           | 16049         | -\$237,927.68     |
| 2002            | 15939           | 15979         | -\$76,930.86      |
| 2002            | 16050           | 16070         | -\$29,423.00      |
| 2003            | 9264            | 9425          | -\$738,806.32     |
| 2003            | 9455            | 9524          | -\$1,212,461.08   |
| 2003            | 9631            | 10234         | -\$38,139.20      |
| 2003            | 10280           | 10328         | -\$323,880.20     |
| 2003            | 9525            | 9630          | -\$102,897.14     |
| 2003            | 10346           | 10398         | -\$108,643.32     |

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

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**June 22, 2005**

**SETTLEMENT OF TAX CASES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the settlement of tax cases dated June 22, 2005. (List is retained in accordance with ASLAPR approved retention schedule.) (ADM704)

**2002/2003**

TX 01-000582  
TX 01-000583

**2003**

CV 03-002606  
TX 02-000555

**2004**

TX 03-000538  
TX 03-000592  
TX 03-000687  
TX 04-000028

**2005**

TX 04-000484  
TX 04-000754

**2005**

CV 04-024042  
ST 04-000300  
TX 04-000535  
TX 04-000604  
TX 04-000606  
TX 04-000607  
TX 04-000759  
TX 04-000796  
TX 04-000812  
TX 04-000813  
TX 04-000921  
TX 05-000040

**STALE DATED WARRANTS**

Pursuant to A.R.S. §11-644, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) that the claims presented are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (ADM1816)

**NAME**

Jill Prather  
Colby Julian

**AMOUNT**

\$262.16  
\$2,542.62

**TAX ABATEMENTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve requests for tax abatements from the Treasurer's Office. (List is retained in accordance with ASLAPR approved retention schedule.) [Clerk's Note: This is not part of the official minutes, see the minutes of meeting dated November 16, 2005, to correct typographical errors on Tax Abatements.] (ADM708)

| <b>Parcel #</b> | <b>Year</b> | <b>Proposed Abatement</b> |
|-----------------|-------------|---------------------------|
| 176-06-316Q     | 2002        | \$19,475.90               |
| 176-06-316Q     | 2003        | \$18,332.54               |
| 176-06-316Q     | 2004        | \$22,621.24               |
| 123-54-007F     | 2001        | \$252.08                  |



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| 123-54-007F  | 2002 | \$267.44   |
| 123-54-007F  | 2003 | \$280.78   |
| 123-54-007F  | 2004 | \$285.22   |
| 301-65-737-9 | 1998 | \$1,769.68 |
| 301-65-737-9 | 1999 | \$1,726.67 |
| 301-65-737-9 | 2000 | \$1,676.30 |
| 301-65-737-9 | 2001 | \$1,594.83 |
| 301-65-737-9 | 2002 | \$1,551.73 |
| 301-65-737-9 | 2003 | \$1,458.39 |
| 301-65-737-9 | 2004 | \$1,364.80 |
| 109-37-025B  | 1995 | \$101.03   |
| 109-37-025B  | 1996 | \$61.14    |
| 109-37-025B  | 1997 | \$76.19    |
| 109-37-025B  | 1998 | \$21.49    |
| 109-37-025B  | 1999 | \$73.06    |
| 109-37-025B  | 2000 | \$42.95    |
| 109-37-025B  | 2001 | \$37.87    |
| 109-37-025B  | 2002 | \$33.60    |
| 109-37-025B  | 2003 | \$28.88    |
| 109-37-025B  | 2004 | \$11.19    |
| 105-83-092   | 2003 | \$55.42    |
| 105-83-092   | 2004 | \$13.28    |
| 105-89-093   | 2001 | \$63.60    |
| 105-89-093   | 2002 | \$33.59    |
| 105-89-093   | 2003 | \$30.42    |
| 105-89-093   | 2004 | \$13.28    |
| 105-83-094   | 2003 | \$55.42    |
| 105-83-094   | 2004 | \$13.28    |
| 105-83-095   | 2001 | \$63.60    |
| 105-83-095   | 2002 | \$33.59    |
| 105-83-095   | 2003 | \$30.42    |
| 105-83-095   | 2004 | \$13.28    |
| 303-24-018B  | 2000 | \$63.15    |
| 303-24-018B  | 2001 | \$37.09    |
| 303-24-018B  | 2002 | \$33.45    |
| 303-24-018B  | 2003 | \$28.97    |
| 303-24-018B  | 2004 | \$11.57    |
| 304-01-004J  | 1997 | \$28.72    |
| 304-01-004J  | 1998 | \$32.04    |
| 304-01-004J  | 1999 | \$29.72    |
| 304-01-004J  | 2000 | \$174.77   |
| 304-01-004J  | 2001 | \$699.56   |
| 304-01-004J  | 2002 | \$791.53   |

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| 304-01-004J | 2003 | \$865.10    |
| 304-01-004J | 2004 | \$820.87    |
| 164-12-987  | 1995 | \$11,279.52 |
| 164-12-987  | 1996 | \$12,339.97 |
| 164-12-987  | 1997 | \$11,163.74 |
| 164-12-987  | 1998 | \$12,620.21 |
| 164-12-987  | 1999 | \$14,250.65 |
| 164-12-987  | 2000 | \$13,587.08 |
| 109-53-005Y | 1986 | \$2,915.71  |
| 109-53-005Y | 1987 | \$3,250.23  |
| 109-53-005Y | 1988 | \$3,392.25  |
| 109-53-005Y | 1989 | \$3,037.19  |
| 109-53-005Y | 1990 | \$4,012.48  |
| 109-53-005Y | 1991 | \$3,916.93  |
| 109-53-005Y | 1992 | \$3,607.33  |
| 109-53-005Y | 1993 | \$3,203.04  |
| 109-53-005Y | 1994 | \$5,145.74  |
| 109-53-005Y | 1995 | \$5,021.65  |
| 109-53-005Y | 1996 | \$4,040.64  |
| 109-53-005Y | 1997 | \$3,971.71  |
| 109-53-005Y | 1998 | \$3,662.35  |
| 109-53-005Y | 1999 | \$3,151.69  |
| 109-53-005Y | 2000 | \$2,773.07  |
| 109-53-005Y | 2001 | \$2,276.86  |
| 109-53-005Y | 2002 | \$1,652.50  |
| 109-53-005Y | 2003 | \$1,379.11  |
| 109-53-005Y | 2004 | \$1,091.11  |
| 142-25-006V | 1983 | \$1,359.16  |
| 142-25-006V | 1984 | \$1,333.38  |
| 142-25-006V | 1985 | \$1,562.32  |
| 142-25-006V | 1986 | \$1,666.99  |
| 142-25-006V | 1987 | \$2,263.49  |
| 142-25-006V | 1988 | \$2,136.36  |
| 142-25-006V | 1989 | \$2,193.54  |
| 142-25-006V | 1990 | \$2,405.10  |
| 142-25-006V | 1991 | \$2,202.03  |
| 142-25-006V | 1992 | \$2,320.73  |
| 142-25-006V | 1993 | \$2,325.93  |
| 142-25-006V | 1994 | \$2,314.13  |
| 142-25-006V | 1995 | \$2,691.52  |
| 142-25-006V | 1996 | \$2,531.68  |
| 142-25-006V | 1997 | \$1,870.38  |
| 142-25-006V | 1998 | \$1,672.51  |

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| 142-25-006V | 1999 | \$1,469.90 |
| 142-25-006V | 2000 | \$1,297.45 |
| 142-25-006V | 2001 | \$1,104.21 |
| 142-25-006V | 2002 | \$987.24   |
| 142-25-006V | 2003 | \$814.05   |
| 142-25-006V | 2004 | \$661.44   |

**WRITE-OFFS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to accept the requested write-off for accounting purposes only for the following cases: (Discussed in Executive Session held June 6, 2005). (ADM407)

|               |            |
|---------------|------------|
| Cofske, Carol | \$2,736.00 |
|---------------|------------|

**FIREWORKS DISPLAY PERMIT**

Chairman Wilson called for a public hearing on this matter. No protests having been received and no speakers coming forth at the Chairman's call, pursuant to A.R.S. §36-1603, motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve two applications filed by Fireworks Productions of Arizona for a Fireworks Display Permits, as follows: (ADM665-47) (ADM665-48) (Addendum item # A-1):

|                |  |
|----------------|--|
| Business Name: | Phoenix Country Club                           |
| Location:      | 2901 N. 7 <sup>th</sup> Street, Phoenix, 85014 |
| Dates/Time:    | July 4, 2005, 8:45 p.m.                        |
|                |  |
| Business Name: | Manzanita Speedway                             |
| Location:      | 3417 W. Broadway, Phoenix, 85041               |
| Dates/Time:    | July 2, 2005, 9:15 p.m.                        |

**TRANSFER FUNDS FOR INCREASED EXPENDITURES**

Pursuant to A.R.S. §42-17106(B), motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the transfer of authority and expenditure of not-to-exceed \$7,400 at fiscal year end from Appropriated Fund Balance (480) General Fund Contingency (100) to Internal Audit (230) General Fund (100). Approval of this action will assist Internal Audit in accommodating increased expenditures due to vacancy savings not being met. Approval of this action will require appropriation expenditure adjustments at fiscal year end increasing the Appropriated Internal Audit General Fund and reducing the Appropriated Fund Balance General Fund in the amount not-to-exceed \$7,400 for a countywide net impact of zero. (C2305004000) (ADM 2600-003) (Addendum item # A-2)

**REJECT CLAIMS DEMANDS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to reject claim demands (May 2005) for emergency medical services from private medical providers to patients who do not meet the requirements of Arizona Revised Statutes or Maricopa County Policies and are, therefore, not the responsibility of Maricopa County pursuant to the A.R.S. §11-629 (not a proper

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charge against the county) and A.R.S. §11-622 (claims not having been filed within six months after the last item of the account accrues). (A.R.S. §11-629 \$1,509,084.34 and A.R.S. §11-622 \$0.00). (C3905038700) (ADM 1804) (Addendum item # A-3)

**SUPERVISORS' MONTHLY REPORT  
May 2005**

| <b>Vendor</b>                  | <b>AMB., Doctors.Hosp<br/>Ars 11-629</b> | <b>Over Six Months<br/>Ars 11-622</b> |
|--------------------------------|--|---------------------------------------|
| Advanced Cardiac Specialists   | 745.00                                   | 0.00                                  |
| Affiliated Cardiologists       | 445.00                                   | 0.00                                  |
| Allure Plastic Surgery Pc      | 5,512.00                                 | 0.00                                  |
| Arizona Cardiology Group       | 340.00                                   | 0.00                                  |
| Arizona Heart Hospital         | 3,803.00                                 | 0.00                                  |
| Az Kidney Disease Hypertension | 4,347.00                                 | 0.00                                  |
| Banner Desert Medical Ctr      | 3,273.60                                 | 0.00                                  |
| Banner Estrella Medical        | 3,793.92                                 | 0.00                                  |
| Banner Good Samaritan Reg Med  | 96,253.70                                | 0.00                                  |
| Banner Thunderbird Med Center  | 2,186.33                                 | 0.00                                  |
| Barrow Neurology Clinic        | 536.25                                   | 0.00                                  |
| Canyon Surgery Center          | 5,048.00                                 | 0.00                                  |
| Cardio Pulmonary Surgery Assoc | 9,865.00                                 | 0.00                                  |
| Casa Grande Regional Med       | 7,038.06                                 | 0.00                                  |
| Ceamc Arizona                  | 9,120.17                                 | 0.00                                  |
| City Of Phoenix Ambulance      | 796.87                                   | 0.00                                  |
| Clinical Diagnostic Radiology  | 1,583.00                                 | 0.00                                  |
| Digestive Hlth Center Of Az    | 420.02                                   | 0.00                                  |
| Eacmc Arizona                  | 6,869.28                                 | 0.00                                  |
| Emergency Physicians Prof Asso | 564.00                                   | 0.00                                  |
| Emergency Professional Svcs Pc | 1,445.00                                 | 0.00                                  |
| Empower Emergency Physicians   | 323.00                                   | 0.00                                  |
| Eye Institute At Boswell       | 998.00                                   | 0.00                                  |
| Hospitalists Of Arizona        | 5,048.00                                 | 0.00                                  |
| Maricopa Health Systems        | 737,818.56                               | 0.00                                  |
| Medical Professional Assoc Of  | 330.00                                   | 0.00                                  |
| Medpro                         | 192,536.11                               | 0.00                                  |
| Pathology Specialists Of Az    | 226.66                                   | 0.00                                  |
| Phoenix Baptists Hospital      | 9,916.60                                 | 0.00                                  |
| Phoenix Memorial Hospital      | 250,484.10                               | 0.00                                  |
| Premiere Physicians Inc        | 540.00                                   | 0.00                                  |
| Professional Diagnostix        | 298.00                                   | 0.00                                  |
| Professional Medical Transport | 2,018.32                                 | 0.00                                  |
| Progressive Medical            | 185.00                                   | 0.00                                  |
| Radiology Services             | 125.80                                   | 0.00                                  |
| Rural Metro Ambulance          | 1,462.83                                 | 0.00                                  |
| Scottsdale Health Osborn       | 67,347.43                                | 0.00                                  |

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|--------------------------------|---------------------|-------------|
| Scottsdale Healthcare Osborn   | 27,137.66           | 0.00        |
| Scottsdale Pathology Associate | 156.00              | 0.00        |
| Sjh Trauma Billing             | 3,965.92            | 0.00        |
| Southwest Ambulance            | 12,963.25           | 0.00        |
| Southwest Neuro-Imaging        | 1,221.00            | 0.00        |
| St Josephs Hosp Arizona        | 16,078.00           | 0.00        |
| St Luke's Medical Center       | 4,080.52            | 0.00        |
| University Physicians Hos      | 8,170.18            | 0.00        |
| Walid S. Alami Md              | 131.00              | 0.00        |
| Women's Care Center            | 1,537.20            | 0.00        |
| <b>Grand Totals:</b>           | <b>1,509,084.34</b> | <b>0.00</b> |
| Restitution                    | 0.00                |             |
| <b>Totals Denials:</b>         | <b>1,509,084.34</b> |             |

**APPROPRIATION ADJUSTMENT FOR HEALTH CARE MANDATES**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve an increase in the FY 2004-05 Health Care Mandates General Fund revenue and expenditures budgets of \$557,600 due to a mandated increase in the Disproportionate Share revenue and sales tax withholding pursuant to State of Arizona FY 2005 Supplemental Appropriation (Laws 2005 Chapter 3). Approval of this action will require an appropriation adjustment increasing the Health Care Mandates General Fund revenue and expenditures budgets by \$557,600. Disproportionate Share payments are "non-local" revenues for purposes of the constitutional expenditure limitation, therefore expenditure of the funds are not constrained by the budget law because they are received from the federal government. The Arizona Constitution, Article 9, §20(3)(d)(iv) provides that "local revenues" do not include "amounts received as grants and aid of any type received from the federal government or any of its agencies." This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C3905039800) (ADM 2104-003) (Addendum item # A-4)

**RETENTION AND PERFORMANCE INCENTIVE PLAN FOR MMCS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to:

- o Approve budget adjustments and transfer of funds for the Retention and Performance Incentive Plan for continued staffing support and provision of quality services for Maricopa Managed Care Systems (MMCS) to be paid from MMCS funds, supported by a subsidy from the General Fund as follows, pursuant to A.R.S. §42-17106: (ADM 2100-005) (ADM 3717) (Addendum item # A-5)
- o Approve the transfer of expenditure authority in the amount not-to-exceed \$783,736 from Appropriated Fund Balance (480) General Fund (100) Reserved Items (4811) Line Item "Health Plan Subsidy" to General Government (480) General Fund (100) Other Programs (4812) Line Item "Health Plans Operating Subsidy".
- o Approve the transfer of expenditure authority in the amount not-to-exceed \$667,627 from Appropriated Fund Balance (480) General Fund (100) Reserved Items (4811) Line Item "Long Term Care Operating Subsidy" to General Government (480) General Fund (100) Other Programs (4812) Line Item "Long Term Care Operating Subsidy".

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- o Approve the transfer of funds in the amount not-to-exceed \$783,736 from General Government (480) General Fund (100) Other Programs (4812) Line Item "Health Plan Operating Subsidy" to MMCS (600) Maricopa Health Plans (541) and increase expenditure authority in MMCS (600) Maricopa Health Plans (541) by not-to-exceed \$783,736.
- o Approve the transfer of funds in the amount not-to-exceed \$667,627 from General Government (480) General Fund (100) Other Programs (4812) Line Item "Long Term Care Operating Subsidy" to MMCS (600) Maricopa Long Term Care Program (551) and increase expenditure authority in MMCS (600) Maricopa Long Term Care Program (551) by not-to-exceed \$667,627.
- o The above transactions will be offset with corresponding adjustments to the Eliminations (980) Eliminations Fund (900) for a countywide net impact of zero. Approval of this action will allow the MMCS (600) Maricopa Health Plans (541) and Maricopa Long Term Care Program (551) to implement the Retention and Performance Incentive Plan for continued staffing support and provision of quality services for MMCS.
- o Authorize the County Manager to approve the Retention and Performance Incentive Plan. The Incentive Plan will help MMCS remain in full compliance with all state and federal requirements, avoids imposition of sanctions, and provides an additional benefit to the employees who will be impacted by the cessation of operations. (C3505024000)

**SETTLEMENT WITH STERLING TRUCK**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve acceptance of settlement in Maricopa County v. Sterling Truck Corp. CV03-006452 in the amount of \$24,876.93 as discussed in Executive Session on June 20, 2005. (C7505023100) (ADM 409) (Addendum # A-6)

**APPOINTMENTS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the following appointments: (ADM 2101-001) (Addendum item # A-7)

- a. **Board of Health** – Appoint Dr. Susanne Cook, representing Supervisorial District 2 and vacating her current at-large position while maintaining her position as Chairman of the Board of Health, whose term is effective from Board of Supervisors' approval through January 1, 2009.
- b. **Board of Health** – Appoint Dr. Zuhdi Jasser, M.D., F.A.C.P., as the Physician Representative, whose term is effective from Board of Supervisors' approval through January 1, 2009.
- c. **Board of Health** – Appoint Dr. James P. Giangobbe, representing District 4, whose term is effective from Board of Supervisors' approval through April 8, 2009.
- d. **Board of Health** – Appoint Mr. Jim Vandeventer, as the At-Large appointee, whose term is effective from Board of Supervisors' approval through May 31, 2008.

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**PUBLIC COMMENT**

No member of the public came forward to speak at this time. (ADM605)

**SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS**

No Supervisor commented at this time. (ADM606)

**PLANNING AND ZONING AGENDA**

David Smith left the dais at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Joy Rich, Deputy County Manager, Darren Gerard, Deputy Planning and Development Director, and Terry Eckhardt, County Counsel, came forward to present the following Planning and Zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

**CONSENT AGENDA DETAIL:**

1.     **Z2004-067     District 3**  
       **Applicant:**     Jerry and Carol Elliot, Earl and Christine Bumpass for Neighborhood Storage  
       **Location:**     East of I-17 (Black Canyon Freeway) and north of New River Road (in the New River area)  
       **Request:**       Special Use Permit (SUP) for a mini storage facility in the R-4 zoning district (approx. 2.6 ac.)

**COMMISSION ACTION:** Commissioner Barney moved to recommend approval of Z2004-067, subject to the following stipulations "a" through "gg". Commissioner Porter seconded the motion, which passed with a unanimous vote of 6-0.

- a.     Development and use of the site shall comply with the site plan entitled "Neighborhood Storage" consisting of one (1) full-size sheet, dated revised February 15, 2005 and stamped received February 25, 2005 except as modified by the following stipulations.
- b.     Development and use of the site shall comply with the narrative report entitled "Neighborhood Storage" consisting of 23 pages, dated revised February 25, 2005 and stamped received February 25, 2005 except as modified by the following stipulations.
- c.     The hours and days of operation shall be limited to Monday through Saturday, 6:00 am to 6:00 pm.
- d.     All mechanical rooftop equipment must be screened to height of the tallest equipment and/or integrated with building design.
- e.     Any screening element must be architecturally compatible with the primary structure.
- f.     Landscaping consisting of native vegetation indigenous to the upper Sonoran Desert must be placed in front of any wall facing the corridor, in the same density, size and placement as the original, natural state of the area.

- g. Trees native to the Sonoran desert, minimum 15-gallon size, to be planted at an average of 20' on-center in front of Building F, which faces the I-17 corridor.
- h. Trash containers, loading docks, transformers and other mechanical and/or electrical equipment must be screened from view.
- i. All signs must be made of natural material and consistent with the architectural treatment of the principal building and overall character of the site. Colors shall be muted and compatible with the desert environment.
- j. All building materials and colors must be muted and compatible with the desert environment to reduce visual contrast, heat gain and glare.
- k. Design features shall be included on all sides of each building.
- l. Reflective glass is not permitted.
- m. At least 25% of the property to remain natural or be revegetated with natural, Sonoran desert vegetation.
- n. Fifteen percent of the parking area, not including perimeter landscaping, must be landscaped with native vegetation.
- o. Preserve existing vegetation except for driveways and walkways, in which case plant survey and salvage plan requirements will apply.
- p. Revegetation must be consistent with the Sonoran desert in terms of topsoil material, plant type, density, and placement.
- q. A plant survey and salvage plan are required before any construction may begin on new development.
- r. The developer must complete a habitat and special status species evaluation and submit it to the Arizona Game and Fish Department for review. Any mitigation and protection measures based shall be observed for the site.
- s. New on-site utility lines shall be located underground except 69kv or greater.
- t. All trees shall be double-staked when installed.
- u. All landscaping shall be maintained in good health and replaced as necessary for the life of the Special Use Permit (SUP) approval.
- v. All landscaping with the County right-of-way shall be in compliance with Maricopa County Department of Transportation regulations.
- w. Prior to development, a drainage clearance to include submittal of a final drainage report must be approved by the Maricopa County Flood Control District.
- x. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.



- y. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted.
- z. The applicant shall pave (asphalt) the portion of driveway within the County right-of-way.
- aa. Prior to zoning clearance, the applicant shall provide documentation establishing legal access to the site.
- bb. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- cc. The applicant shall submit a written report outlining the status of the development at the end of five (5) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- dd. This Special Use Permit shall expire fifteen (15) years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- ee. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- ff. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- gg. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to concur with the recommendation from the Planning Commission for approval of the Special Use Permit with stipulations "a" through "gg."

**2. Z2004-134 District 4**

**FORMAL SESSION  
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**Applicant:** MB Group, Inc for Weber Group  
**Location:** Approx. 1,745' east of the southeast corner of Perryville Road and McDowell Road (in the Goodyear/Buckeye area)  
**Request:** Precise Plan of Development in the IND-2 zoning district and High Noise/Accident Potential zone of Luke Air Force Base (LAFB) (approx. 5.7 ac.)

**COMMISSION ACTION:** Commissioner Pugmire moved to approve Z2004-134, subject to the following stipulations "a" through "q". Commissioner Munoz seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development of the site shall be in substantial conformance with the site plan entitled "Plan of Development – Weber Group West Side Equipment Storage & Warehouse Facility" consisting of three (3) full-size sheets, dated October 12, 2004, revised April 4, 2005 and stamped received April 8, 2005.
- b. Development shall be consistent with the narrative report entitled "Plan of Development Construction Equipment Storage Facility", consisting of 14 pages, dated revised April 2005 and stamped received April 8, 2005, except as modified by the following stipulations.
- c. Prior to issuance of zoning clearance, the applicant shall provide written approval from Luke Air Force Base regarding the proposal.
- d. Prior to zoning clearance, the applicant shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- e. All habitable buildings constructed shall be constructed to attain noise reduction as per A.R.S. § 28-8482.
- f. Dedication of additional right-of-way to bring the total half-width dedication to 65 ft. for McDowell Road shall occur prior to zoning clearance.
- g. The applicant shall bond for ultimate half-street improvements on McDowell Road for pavement, gutter, curb and sidewalk prior to zoning clearance, the bonding period shall be posted for five (5) years.
- h. The applicant shall construct a westbound left-turn lane on McDowell Road into the site that includes required pavement tapers.
- i. A Notice of Intent to Discharge for the onsite wastewater disposal system must be submitted to and approved by the MCESD prior to construction of the onsite wastewater disposal system.
- j. A continuous parapet shall screen all roof-mounted equipment.
- k. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible.

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- l. All trees shall be double-staked when installed.
- m. All buildings shall meet county standards and the applicant shall obtain proper permits prior to construction or placement of any structures on the site.
- n. All uses except for parking, loading, unloading or storage shall be conducted within a completely enclosed building.
- o. In any multi-phase industrial project, all areas of a parcel which have been graded or the surface disturbed in any way, and which are not currently under development shall be revegetated or surfaced to minimize wind-blown dust by a plan approved by the County.
- p. Major changes to this Plan of Development (the site plan and narrative report) or conditions of approval shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- q. Noncompliance with the Plan of Development (the site plan and narrative report) or conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to concur with the recommendation from the Planning Commission for approval of the Precise Plan of Development with stipulations "a" through "q."

- 3. S2004-074 District 3**  
**Applicant:** Stanley Consultants, Inc. for Anthem Arizona, LLC  
**Location:** West of the northwest corner of Gavilan Peak Parkway and Navigation Way (in the Anthem area)  
**Request:** Final Plat in the R1-6 RUPD zoning district for Anthem Unit 61 (7.43 gross ac.)

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the final plat.

- 4. S2005-013 District 3**  
**Applicant:** Stanley Consultants, Inc. for anthem Arizona, LLC  
**Location:** East of Gavilan Peak Pkwy. (in the Anthem area)  
**Request:** Final Plat in the R1-6 RUPD zoning district for Anthem Unit 57 (39.39 gross ac.)

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (3-0-2) to approve the final plat.

**REGULAR AGENDA DETAIL:**

- 5. Z2004-097 District 4**

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**Applicant:** Rick Brewer for the Paintball Compound  
**Location:** Approx. 2,500' west of the northwest corner of Thomas Road and 395th Avenue (in the Tonopah area)  
**Request:** Special Use Permit (SUP) for a recreational open-air facility in the Rural-43 zoning district (approx. 15 acres)

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of Z2004097, subject to the following stipulations "a" through "u". Commissioner Munoz seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development and use of the site shall comply with the site plan entitled "The Paintball Compound" consisting of one (1) full-size sheet, dated revised February 3, 2005 and stamped received April 4, 2005 except as modified by the following stipulations. Within 30 days of BOS approval, a revised site plan shall be submitted delineating a 100' north setback and new legal description of the SUP area.
- b. Development and use of the site shall comply with the narrative report entitled "The Paintball Compound" consisting of thirteen (13) pages, dated revised April 4, 2005 and stamped received April 4, 2005 except as modified by the following stipulations.
- c. Prior to operation of the use, the applicant shall contact the Maricopa County Department of Emergency Management or the Palo Verde Nuclear Generating Station (PVNGS) Emergency Planning Department to ensure that adequate signage is provided to inform the public of the presence of a nuclear generating station in the vicinity and outline actions to take upon receiving warning notification. The applicant shall provide the Planning and Development Department with written proof of compliance with this stipulation.
- d. Prior to operation of the use, the applicant shall provide documentation (a recorded easement or agreement from the affected property owner/s) to the Planning and Development Department establishing legal access to the site. If said legal access requires modification of the site plan, an amendment to the Special Use Permit (SUP) may be required.
- e. The proposed parking spaces and area shall be physically delineated. Directional signs shall be established for proper circulation of the site.
- f. Dust shall be mitigated on site with consistent usage of water trucks.
- g. Dedication of additional rights-of-way to bring the total half-width dedication to 65' for Thomas Road shall occur within 6 months of approval of this request by the Board of Supervisors, and prior to zoning clearance for operation of the use.
- h. Prior to operation of the use, the applicant shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- i. The public hours and days of operation shall be limited 8:00 am – 10:00 pm, Thursday through Saturday, and from 10:00 am – 6:00 pm on Sundays. The maximum number of

guests (to include participants and spectators) at the facility at one time during these hours shall be limited to 100.

- j. The reserved events hours and days of operation shall be 9:00 am – 9:00 pm, Monday through Wednesday. The maximum number of guests (to include participants and spectators) at the facility at one time during these hours shall be limited to 100.
- k. The maximum number of employees for the site shall be limited to six (6).
- l. At least ten (10) garbage cans with a 32-gallon capacity shall be provided. Garbage and debris shall be disposed of on a weekly basis.
- m. The paintball fields and netting shall be cleaned and maintained on a regular basis (at least twice a month). Spillage of paint or other debris outside the Special Use Permit (SUP) area is prohibited.
- n. Loud speakers or amplified audio equipment of any kind is prohibited.
- o. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance. Lighting (and evening events) shall be limited to one (1) speedball field and safety zone as indicated on the site plan. Four (4) 15' high generator run lighting fixtures are allowed on site.
- p. The applicant shall submit a written report outlining the status of the development at the end of two (2) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- q. This Special Use Permit shall expire ten (10) years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- r. An archeological survey shall be submitted to and approved by the Arizona State Historic Preservation Office (SHPO) prior to issuance of a Grading Permit. The applicant must contact the SHPO prior to initiating disturbance (ground) of the site. The applicant shall provide the Planning and Development Department with written proof of compliance with this stipulation.
- s. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- t. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division or the Flood Control District of Maricopa County may be

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grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

- u. Noncompliance with the site plan, narrative report, or conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.

Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (3-0-2) to concur with the recommendation of the Planning Commission for approval with stipulations "a" through "u."

- 6.      Z2005-033      District 2**  
**Applicant:** Dennis Zwagerman Assoc., Inc. for Santa Fe Trails  
**Location:** Approx. 200 ft. north of Apache Trail and approx. 213 ft. west of Crismon Road (in the east Mesa area)  
**Request:** Special Use Permit (SUP) for a previously approved mobile home park in the R-5 zoning district

**COMMISSION ACTION:** Commissioner Barney moved to recommend approval of Z2005-033, subject to the following stipulations "a" through "i". Commissioner Jones seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development and use of the site shall comply with the site plan entitled "Special Use Permit for Santa Fe Trails" consisting of one (1) full-size sheet sealed with engineering stamp Sept. 30, 2000 and stamped received April 28, 2005 except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Santa Fe Trails Mobile home park" consisting of nine (9) pages, dated revised April 27, 2005 and stamped received April 28, 2005 except as modified by the following stipulations:
- c. Prior to the issuance of any new building permits within Santa Fe Trails, a Trailer Coach Park permit must be obtained from the Maricopa County Environmental Services Department (MCESD).
- d. Prior to any permit issuance the applicant shall provide documentation to the Planning and Development Department that the applicant has obtained approval from Drainage Review.
- e. The mobile home park shall connect to public sewer on Apache Trail when it becomes available. Septic tanks will be abandoned in accordance with building codes applicable at the time.
- f. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- g. Within 90 days of Board of Supervisor approval, the applicant shall submit a landscape plan and planting schedule for landscape screening of the 10-ft. buffer along the chain-link fence along the Central Arizona Project (CAP) canal. Landscape planting shall occur

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when construction occurs. Landscaping shall be maintained in good condition for the extent of the Special Use Permit.

- h. The applicant shall submit a written report outlining the status of the development at the end of two (2) years and every 5th year from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- i. This Special Use Permit shall expire (20) years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- j. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- k. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- l. Noncompliance with the site plan, narrative report, or conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.

Discussion ensued on this request for a Special Use Permit (SUP) 30 year extension for a mobile home park. Darren Gerard, Deputy Planning and Development Director, indicated that the park is an existing mobile home park with a 10 year special use permit approved in 1995, which has expired. The applicant is now requesting a 30 year SUP instead of a 20 year SUP as approved by the Planning Commission. He also reported that some opposition was heard at last month's Planning and Zoning meeting. The individuals opposing complained of obstruction of mountain views and the height of a wall surrounding the park.

Mr. Gerard also reported that there was comment from the Central Arizona Project, requesting that the applicant clean-up the area across from the mobile home park, believed to be used as storage by the residents. Lynn LeGarde representing the applicant commented that the applicant would comply with the stipulation to clean-up that area, but first she was going to look into the source of the problem.

Discussion ensued on the applicants request to establish an automatic extension process that would allow the applicant to request an extension without having to follow this same process all over again. It was clarified that there is no automatic renewal process and that the applicant must re-apply and re-submit for the SUP before the 30 year expiration. Joy Rich, Deputy County Manager, indicated that the approval of this SUP will stand as is for the next 30 years if approved by the Board.

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Motion was made by Supervisor Brock, seconded by Supervisor Stapley, and unanimously carried (3-0-2) to concur with the recommendation of the Planning Commission for approval with stipulations "a" through "l" with stipulation "i" amended as follows:

- i. This Special Use Permit shall expire ~~twenty (20)~~ thirty (30) years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

\_\_\_\_\_  
Max W. Wilson, Chairman of the Board

ATTEST:

\_\_\_\_\_  
Fran McCarroll, Clerk of the Board